## Exhibit 5

Subject: FW: Agreement

Date: Wed, 27 Jan 2010 08:40:59 +0000

From: "Lupo, Anthony" < lupo.anthony@arentfox.com>

To: "Gundersen, Glenn" <glenn.gundersen@dechert.com>, "Thomas La Perle"

<laperle@apple.com>

Message-ID:

<FB2A3287A5C863418D5DCB6E9D4B00FB568FF78ED2@AFEXCHANGE1.access.local>

## **Anthony V. Lupo**

**Partner** 

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**From:** Taylor, Brewster [mailto:btaylor@stites.com] **Sent:** Wednesday, January 27, 2010 3:28 AM

**To:** Lupo, Anthony **Cc:** Brian Reynolds **Subject:** Agreement

## Tony -

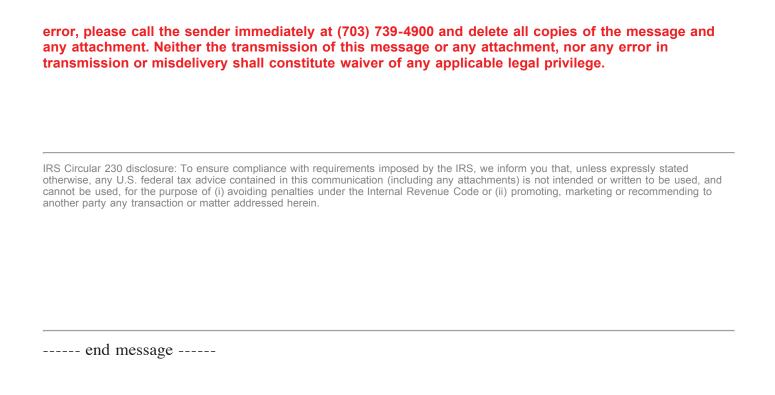
Attached is the signature page and the text of the Agreement. Brian will forward the complete signed Agreement tomorrow.

Brewster

Brewster Taylor Stites & Harbison, PLLC 1199 N. Fairfax Street Suite 900 Alexandria, Virginia 22314 Direct dial (703)837-3906 Fax (703)518-2936 btaylor@stites.com

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